

United States District Court

for the

Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Sep 17, 2019

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Fernando Gustavo Castaneda-Sandoval Case Number: 0980 1:15CR02037-LRS-1

Address of Offender: Yakima, Washington 98902

Name of Sentencing Judicial Officer: The Honorable Lonny R. Suko, Senior U.S. District Judge

Date of Original Sentence: January 6, 2017

Original Offense: Possession with Intent to Distribute Heroin, 21 U.S.C. § 841(a)(1)

Original Sentence: Prison - 41.5 months; Type of Supervision: Supervised Release
TSR - 36 months

Asst. U.S. Attorney: Benjamin David Seal Date Supervision Commenced: April 13, 2018

Defense Attorney: Alex B. Hernandez, III Date Supervision Expires: April 12, 2021

PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1 **Special Condition # 3:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Castaneda-Sandoval is considered to be in violation of his supervised release by consuming methamphetamine on or about, June 19, 2019.

Mr. Castaneda-Sandoval's conditions were reviewed with him on April 16, 2018. He signed his conditions acknowledging an understanding of his conditions which includes special condition number 3, as noted above.

Mr. Castaneda-Sandoval tested presumptive positive for methamphetamine on June 18, 2019. He initially denied use of any illegal controlled substances and the specimen was sent to the laboratory for further analysis. The sample was confirmed positive for amphetamine and methamphetamine through laboratory analysis on June 24, 2019.

On July 18, 2019, Mr. Castaneda-Sandoval admitted he used methamphetamine on or about June 12, 2019. He signed an admission form confirming his consumption of the illegal drug.

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- 2 **Special Condition # 3:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Castaneda-Sandoval is considered to be in violation of his supervised release by failing to attend the following random urinalysis tests: July 25, 2019; August 5, 13 and 22, 2019; and September 10, 2019.

Mr. Castaneda-Sandoval's conditions were reviewed with him on April 16, 2018. He signed his conditions acknowledging an understanding of his conditions which includes special condition number 3, as noted above.

This officer met with Mr. Castaneda-Sandoval on July 18, 2019, and he agreed to call the color line on a daily basis and appear for his random urine tests. He has failed to attend any of the random urinalysis tests as noted above.

- 3 **Special Condition # 3:** You shall abstain from the use of illegal controlled substances, and shall submit to urinalysis testing, as directed by the supervising probation officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: Mr. Castaneda-Sandoval is considered to be in violation of his supervised release by consuming methamphetamine on or about, September 12, 2019.

Mr. Castaneda-Sandoval's conditions were reviewed with him on April 16, 2018. He signed his conditions acknowledging an understanding of his conditions which includes special condition number 3, as noted above.

Mr. Castaneda-Sandoval came to the U.S. Probation Office on September 12, 2019, and provided a make-up urine test that was presumptive positive for methamphetamine. The sample was sent for further laboratory analysis. Mr. Castaneda-Sandoval signed an admission form indicating he used methamphetamine on or about September 8, 2019.

- 4 **Standard Condition # 2:** After initially reporting to the probation office, you will receive instructions from the court or the probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: Mr. Castaneda-Sandoval is considered to be in violation of his supervised release by failing to follow this officer's instruction to report to the office on September 16, 2019.

Mr. Castaneda-Sandoval's conditions were reviewed with him on April 16, 2018. He signed his conditions acknowledging an understanding of his conditions which includes special condition number 3, as noted above.

This officer spoke with Mr. Castaneda-Sandoval on the evening of September 11, 2019, and directed him to report to the U.S. Probation Office every Monday at 10 a.m. for the next 60 days. He stated he understood and would comply.

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On September 12, 2019, Mr. Castaneda-Sandoval met with an officer from the U.S. Probation Office in Yakima, Washington, and he was instructed to return to the office on September 16, 2019, Monday, to meet with his assigned supervising probation officer at 10 a.m. Mr. Castaneda failed to report to the probation office as directed.

The U.S. Probation Office respectfully recommends the Court issue a warrant requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 16, 2019

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

09/17/2019

Date